

19-cv-1902 SRN/HB

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

THOMAS EVENSTAD
Plaintiff,

COMPLAINT

VS

Tim Pawlenty, Rich Stanek,
Joan Fabian, Mike Hatch,
Minnesota Department of Corrections,
State of Minnesota, John
Does: 1-10, Jane Does: 1-5,
Peter Orpat. Defendants.

JURY TRIAL
DEMANDED

SCANNED
JUL 18 2019
U.S. DISTRICT COURT ST. PAUL

RECEIVED
BY MAIL

JUL 18 2019

CLERK, U.S. DISTRICT COURT
ST. PAUL, MN

BACKGROUND/INTRODUCTION

On January 30, 2003, when Defendant Pawlenty was Governor of Minnesota, Defendant Stanek was Commissioner of Public Safety, Defendant Fabian was Commissioner of Corrections and Defendant Hatch was Minnesota Attorney General, Plaintiff Thomas Everstad, (Herein "Everstad") wrote a letter to all four of them proposing Global Position Satellite (GPS) Monitoring/Tracking of Minnesota's (and the Nation's) "High-Risk" Sex Offenders - "Level 3" sex offenders in Minnesota, like Alfonso Rodriguez, Jr. Everstad wrote the letter from ^{moose lake} prison.

Upon information, belief and research, Everstad's innovative idea to use GPS technology to monitor and track Level 3 Sex Offenders was the first such proposal to any State government. Department EVERSTAD has numerous copies of this letter w/ friends in the community & DOC has it in Everstad's 2006 file.

1-30-03
Ltr can & will be produced for this lawsuit. Everstad awaiting it's mailing currently.

Corrections, Department of Public Safety, State Attorney General's office, or to the Federal Government. President George W. Bush and U.S. Attorney General John Ashcroft ~~also~~ Everstad also sent his 5-page letter-proposal to.

Tragically for the family and friends of Dru Katrina Sjodin, and most tragically of all for 22-year old Dru Sjodin herself, Everstad's GPS proposal, which, had it been implemented by the Defendants and/or U.S. President George Bush and AG Ashcroft, through Congress if necessary & by the Defendants through Minnesota's State legislature and/or Executive Order, ~~would~~

would ~~have~~ have prevented this preventable tragedy.

* OR

BY GIVING Rodriguez his criminal sentence and therefore was not subject to State Supervision at the time of his release seven months after Everstad's GPS proposal, and a full 10 months prior to his release from State custody-prison.

Everstad's GPS proposal letter sent to the Defendants proposed closing the "Deadly Gap" as Everstad referred to the allowance of dangerous, violent, repeat high risk sex offenders (like Rodriguez) to be released scot-free into society as opposed to being monitored and tracked via GPS technology for the rest of their miserable lives.

Everstad passionately argued in his letter-proposal that there must be a tipping point where the rights of innocent men, women and children supercede the rights of maggots like Rodriguez, Polly Klass' Killer (Richard Alan Davis) Adam Walsh's Killer (unsolved as some law enforcement experts attribute Mike sexually motivated homicide to OTIS TOOLE and other experts to other individuals), Jacob Wetterling's Killer, Katie Poirer's Killer (Donald Blom) and thousands of other sexually motivated killers, including the 30-50 active serial killers the FBI's best estimates state are on the prowl at any given time in America.

Everstad sent copies of his letter at the time it was written to Pam Poirer, Mark Klass, John Walsh and Patty Wetterling. Patty Wetterling and Everstad exchanged several e-mails over the past 15+ years in which Everstad told Patty in his earliest e-mails, he himself was a convicted "sex offender," but that he was in fact the furthest thing possible from a "rapist" - Minnesota's Innocent Man, that Everstad himself was the victim in his 1998-99 Malicious Prosecution by Hennepin County Attorney Mike Freeman (on extended ^{AND HOPEFULLY PERMANENT} leave of absence due to his being an incompetent drunk and Prescription Pill abuser) and his minion, Assistant Hennepin County Attorney Stuart Evan Shapiro & Beth Roberts, disgraced

By "Googling" MN's Innocent Man" the article Everstad wrote, which Laura Hooper used her byline 3 - can be read which led to 46 month prison sentence.

*EVERSTAD
DECLINES
TO NAME
JACOB
WETTERLING'S
KILLER OUT
OF DEEP
RESPECT
FOR JACOB'S
MOM,
Patty
Wetterling.

**46 mo
prison sentence
unconstitutionally
imposed by
RAMSEY County
Judge GEORGE
T. Stephenson

ex Richfield Police Officer who was given a choice to "retire" or be fired due to her poor attendance and even worse job performance as ex "Agent" Beth Roberts' Personnel File revealed when Everstad obtained it via a Chapter 13 Data Practices Act / Freedom of Information Act (FOIA) request many years ago.

The Minnesota Coalition Against Sexual Assault (MN-CASA) would've been wise to also do their Due Diligence in properly/adequately vetting this Dirty Cop (subject of pending litigation in Everstad v. Seward (Barrie)) (Hannah Marie Seward (Barrie) is the shameless State created/manufactured "rape" victim in Everstad's wrongful conviction now under review by UNCLEFTHETINNOCENT.Org in which Everstad is entitled to \$750,000 to \$1,500,000 per State Statute once he's finally EXONERATED. See www.MakryHapist.com & [Twitter@MakryHapist](https://twitter.com/MakryHapist))

Sadly yet predicably, Everstad's GPS proposal fell on deaf ears and the abduction, rape, torture & brutal murder of Dra Sjodin was the result.

Following the homicide and the identification of Rodriguez as her killer, Defendants PAWLENKO, STANEK and Fabian held a Press Conference touting "their" new innovative idea of using GPS technology on Minnesota's Level 3

*Jezebel
aka
Potiplier's
wife -
see
Genesis
Ch. 39
- -

Sex offenders - stealing Everstad's idea without crediting Everstad as the source of their sudden inspiration after Dru's preventable ~~death~~ ^{murder}.

Even more egregiously, Defendant Orpelt (now Washington County Attorney) violated ^{*}State law by refusing to comply with Everstad's Chapter 13/FOIA request for a copy of the Sjodin family Complaint as Minnesota Department of Corrections legal Policy Coordinator to prevent Everstad from obtaining contact information of the Sjodin family attorney, Timothy Murphy who sued the State on behalf of Dru's parents Linda Walker and Allen Sjodin for Wrongful Death.

Everstad was seeking the Complaint to get Murphy's contact info to alert him and Dru's parents to the fact that Everstad had put the State ON NOTICE 7 ~~8~~ months before the release of Rodriguez & 10 months prior to Dru's Sjodin's abduction, rape, torture and murder.

Had the Sjodin Family known of this information and the State's Bad Faith extreme efforts to keep Minnesota's Dirty Little Secret (A falsely convicted "sex offender" had first proposed GPS monitoring/tracking of Level 3 Sex offenders 10 months before ~~the~~ ^{the} murder of their Daughter/Sister - NOT after her murder as State officials pretended & lied), Dru Sjodin would be alive and well today),

rather than seeking the "apology" and the pathetic paltry \$300,000-\$400,000 they settled for, they would've sought (under competent Representation) Everstad believes Murphy clearly failed to provide) upwards of the \$20,000,000 Settlement attorney Robert Bennett secured for Justine Damone's family over the politically-motivated hiring of Jihadi-Friendly, then Minneapolis Mayor Betsy Hodges, ~~Everstad~~ is aware the family at the time publicly stated their lawsuit wasn't about the monetary damages, but again, asserts in this lawsuit that due to State ~~mis~~ officials' misconduct and deliberate withholding of relevant information as discussed ante, that it is highly probable that rather ^{than} seek ^{an} "apology" and contrition from these same State officials responsible for their Daughter's murder, Defendants Pawlenty, Stenut, Fabian, Hatch and non-~~*~~current Defendant William B. Donnan, they would've sought millions of dollars in damages (Compensatory and Punitive) which would've allowed them to use such funds to do something meaningful in their daughter's memory that would've impacted and helped save many, many lives - such as massive donations to Kloss Kids, the Patty Witherby Foundation, Missing & Exploited Children, etc. Everstad asserts here State officials intentionally released Rodriguez hoping he would commit

LEADING TO
JUSTINE'S
MURDER BY
Mohamed Noor

BAD FAITH

* Everstad
includes
John Does
1-10
to await
Representation
& Discovery
to potentially
NAME
DONNAY
& other
Criminals.

a high profile crime in order to not only prevent what was the imminent closure—end of the Minnesota Sex Offender Program, ^(MSOP) but to create manufacture a high-profile crime ~~in order to~~ The experts unanimously agreed Rodriguez would ~~be released~~ ^{RE-OFFEND} if released. But even more telling is the fact that Rodriguez himself told DOC psychologists, including Dr. Rita St. George and other DOC and other State officials that he should be civilly committed to the MSOP to protect the public from his insatiable and uncontrollable violent sexual fantasies that had built up over 23 years of captivity and ready to explode upon his release, which State officials gladly allowed—a BLOOD SACRIFICE FOR THEIR PRECIOUS MSOP.

****** Evenstad is currently working on his first book "DRU SJODIN - THE UNTOLD STORY" which should be published later in 2019. In his book about Minnesota's Dirtiest Little Secret, Evenstad will detail for the reader how Dru Sjodin's murder was preventable, ~~or~~ how State officials lied to and intentionally misled Dru's parents and family, her friends and the general public as well as the sickening truth that Rodriguez' actions were exactly what the evil, wicked, spiritually bankrupt state.

NAME: THOMAS EVENSTAD AND #7 OFD# 172482 & SEND "O-MAILS"

* as an
excuse/
justification
to massively
EXPAND

msup.

**
 EVERSTAD
 WELCOMES &
 ENCOURAGES
 COMMUNICATING
 INTERVIEWS
 W/HIM BY
 MEDIA & THE
 GENERAL
 PUBLIC
 VIA OBTAINING
 HIS LOCATION
 UNTIL 4/30/79
 (RELEASE DATE)
 VIA DOCUMENT
 SITE & WRITING
 TO HIM OR D/L
 APP: WWW.JPAY.
 & REGISTER
 W/EVERSTAD'S

By GOOGLEING "Evenstad Ticking Time Bombs" you'll see EVENSTAD'S Interview w/ FOX 9 Tom Lyden exposing (pardon pun) MSOP's TRUE AGENDA of ONLY RELEASING IT'S MOST DANGEROUS High-Risk "Patients" because they've completed "Treatment" (McTreatment) Such AS THOMAS DUVALL

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State officials' sick evil, abusive and plans to keep MSOP going forward continue to this day with clear evidence MSOP seeks to release only their most dangerous, violent highest risk "patients" most likely to commit sexually motivated homicides such as THOMAS DUVALL: GOOGLE "EVENSTAD TICKING TIME BOMBS" officials named publicly in this high-profile lawsuit wanted. Rodriguez' release and subsequent actions with regard to Dr. Sjodin was exactly the "perfect storm" the State hoped for and planned on - an "ENDS JUSTIFY THE MEANS" mentality to not only prevent the imminent closure of MSOP which the State had invested many millions of dollars into, which provided political cover for our States cowardly, stupid, gutless politicians none better exemplified than by PAULENTY ("T-PAN"), STONEK & HATCH, but to use Dr. Sjodin's murder as the impetus to round up hundreds, if not 1000+ men over the next several months & years to EXPAND the unconstitutional Preventive Detention "McTreatment" to NOW SERVING 750+, including many, many level 1 (Low Risk) & level 2 (Moderate Risk) while these idiots who run the DOC's Risk Assessment/Community Notification Unit (RA/CN) have released hundreds of Level 1 & 3 (High Risk) Sex Offenders under Donnat's responsibility. William Donnat should've been fired & stripped of any benefits/person etc for his role as essentially Alfonso Rodriguez Jr.'s accomplice and co-conspirator in the kidnapping, rape, torture and murder of Dr. Katrina Sjodin.

This Wrongful Death lawsuit is brought due to ^{the following} ~~an~~ ~~and~~ ~~the~~ ~~following~~ ~~facts~~

FACTS

1. On January 30, 2003 Everstul wrote a detailed 5 page letter proposal to Defendants Pawheaty, Stanek, Fabian & Hatch.
2. Everstul detailed how to close the "Deadly Gap" of dangerous, violent, repeat ^{HIGH RISK} sex offenders - Use GPS monitoring & tracking.
3. GPS monitoring/tracking could have been provided as an alternative to Alfonso Rodriguez Jr to being civilly committed to the MSOP, which Rodriguez was initially warning State Officials he must go for Public Safety but changed his mind when informed his "Treatment" would not necessarily end - that he could be at MSOP, in "Treatment" for the rest of his life, at which time Rodriguez was allowed by Defendant ~~Dr~~ Fabian and non-Lwant Defendant Donay to be released. Donay Director ^{Risk Assessment} Community Notification Unit, MN-DOC.
4. By providing Rodriguez with two options: Committed to MSOP or VOLUNTARY AGREEMENT For GPS Monitoring/Tracking for life, the "dilemma" State officials blamed for the sexually motivated homicide of Dru Sjodin - that since Rodriguez had legally expired his criminal sentence, he couldn't be supervised or monitored - the "Deadly Gap" would have been CLOSED ~~Solved~~ ^(SOLVED) VOLUNTARY ~~if GPS Monitoring/Tracking wouldn't have violated~~

Rodriguez' Constitutional Rights.

5. Had Rodriguez been offered this logical choice (seemingly as State Officials responsible for his release were ~~on~~ Notice from Everstad 10 months before his release that GPS monitoring/tracking would save many lives) he would not have been able to commit his crimes as ^{any let alone} repeated trips to the East Grand Forks, ND mall to stalk/hunt for victims would've resulted in his commitment to MSOP. Unless of course Everstad's assertions regarding State Officials wanting to strike ^{Rodriguez} is accurate.
6. Everstad's proposal was not acted on by State Officials: Pawlenty created no Executive Order for Rodriguez to be offered to voluntarily agree w/ GPS or face commitment proceedings; Donnay did not Petition Rodriguez for Civil Commitment with Rodriguez' MASOP-R Score of 13 (Highest Risk) but did retaliatorily ^{*} Petition Minnesota's Innocent Man Thomas Everstad with Everstad's Score of 0 (22RD) (Lowest Risk); Fabian was responsible for Donnay's failures & for Rodriguez' release; Hatch as Attorney General made no effort to get Everstad's proposal enacted in the legislature nor made any effort to give Rodriguez option to voluntarily be GPS monitored/tracked vs. committed. Following Drew Spodin's murder, Defendants Pawlenty, Stanek & Fabian held a Press Conference announcing

among other things, "their" innovative new idea to use GPS monitoring/tracking of Minnesota's high-risk, level 3 Sex Offenders, which wasn't their idea, but was Thomas EVENSTAD-Plaintiff's idea. Public credit given to Everstad would ^{benefit Everstad's} reputation & ^{to B} prospects ^{of his} ~~prospects~~.

8. Everstad asserts here that the ^{knowledge of the} ~~stealing of his~~ innovative new idea to use GPS technology in this way is NEWLY DISCOVERED EVIDENCE - discovered within the past year via Google Searching "Dru Sjodin" & "Alfonso Rodriguez" with and without "GPS" added and found to his shock and disgust news media coverage of Pawlenty, Fabian & Starek lying to the public about "their" idea re GPS, including MPR, Minneapolis Star & Tribune & St. Paul River Press articles discussing use of GPS on Sex Offenders in Minnesota only after Dru Sjodin's homicide.

9. Everstad extensively researched the issue of when any State legislature (which Everstad implored Pawlenty, Hatch, Fabian, Starek in MN & President George W. Bush & AG Ashcroft in all 50 States) to enact laws and/or Constitutional Amendments to close the "Deadly Gap" to no avail in 2003) acted on Everstad's proposal (Everstad asserts here upon information & belief he PIONEERED THE USE OF GPS monitoring & Tracking of Sex Offenders in the United States) and discovered that not until 2004 did any State legislatures enact any laws regarding - 11 - GPS Monitoring or Tracking of Sex Offenders.

10. Everstad's research online (in violation of his unconstitutional probation conditions^{*} designed, among other reasons to prevent such research by Hennepin and Ramsey Counties Probation Departments, Subjects of pending litigation EVERSTAD v. KLAVINS, et al. seeking in excess of \$1,000,000.00) confirmed his belief that not until AFTER Everstad brought his innovative ideas to State and National Officials, including President George W. Bush, did any State enact such laws.
11. "Federal Probation" Volume 74, Number 2 - Date/Year unknown, but with References to States as recent as "2008" states, "To date, 22 States have passed legislation regarding the use of GPS technology to track sex offenders (International Association of Chiefs of Police, "Tracking Sex Offenders with Electronic Monitoring Technology" 2008).
12. The National Conference of State Legislatures (June 28, 2006) states: "A number of States have statutory provisions regarding GPS tracking of sex offenders." and reveals the three (3) first States in the United States to enact such laws: Louisiana, Massachusetts & Tennessee.
13. Everstad made a Chapter 13 Data Practices Act/FOIA request to then DOC Legal Policy Coordinator Pete Orput which was denied in violation of State ^{AND FEDERAL LAW} law. Orput was requested to provide the Sidney family Complaint/lawsuit, but
- See EVERSTAD v. KLAVINS - 12 - et al. for more details re this case.

refused to comply with State/Federal law in order to protect/shield the State from massive monetary damages and devastating negative publicity from the media which would likely have led to Governor Pawlenty's impeachment - removal from office, Fabian's removal as DOC Commissioner, Hatch's removal as MN AG, Donnay's firing as well as Orput's firing by his superiors from providing the data Ernstul was legally entitled to obtain, ^{as well as VALUE UP} ~~Sjodin Family lawsuit by~~ ~~Ernstul~~.

14. Ernstul's primary motivation in bringing this lawsuit is for the family members of Dr. Katrina Sjodin, her other loved ones and her many friends to know the true untold story of her preventable murder and the lengths State officials went to permanently prevent the truth from ever coming to light.

15. Ernstul's secondary motivations ^{are} ~~are~~ for the general public, and the millions of good people around the entire world who were heartbroken and saddened over the cruel, unfair, evil & wicked fate that befell Dr. Sjodin to know these truths which this lawsuit (and the discovery - legal "Discovery" which Ernstul will obtain via this lawsuit) and the resulting information will be made more readily available than via lawsuit w/ Ernstul's book: DRUG STOPIN.

The UNTOLD STORY" and to finally hold State officials responsible for their actions and decisions which cost Drew Sjodan his life and deeply traumatized EVENSTAD, who tried valiantly, yet in vain to prevent her sexually-motivated homicide.

16. Evenstad's tertiary motivation is to obtain a measure of compensation — JUSTICE — in the only way the current United States System of Civil lawsuits provides Compensation — MONETARY DAMAGES both Compensatory Damages for Evenstad's pain, ~~and~~ suffering and trauma due to the senseless, preventable murder of Drew Sjodan. Evenstad provided the State the Blueprint to prevent — adopted by 22 states as of 2008 & 18 as of 2006.

17. Evenstad asserts he is NOT TIME-BARRED via the Statute of Limitations to any of his claims as 1) It is ^{*}Newly Discovered Evidence as stated on the fact State Officials stole his GPS idea and publicly represented it as their own, and 2) the Doctrine of Continuing Injury/Harms has no Statute of limitations and Evenstad represents here he continues to suffer trauma (PTSD), nightmares, flashbacks and anxiety.

* AS IS
Evenstad's
learning
within the
past year
Orpat's
denial
violated Chi-
Frank-Stra-
ked Laws

* AND
ALL OTHER
FACTS HEREIN
AND "CLAIMS".

panic attacks as a result of State officials (Defendants) failure/refusal to implement Eustad's proposal which would've saved Dru Sjodin's life. Scarcely a day goes by even these nearly 16 years later when Eustad doesn't think about how Dru Sjodin's life and this world would be different - so much better and happier with ~~the~~ Dru in it, doesn't mourn her passing - always going to ^{be} 22 years old - and doesn't pray to GOD & Eustad's Personal LORD & SAVIOR JESUS CHRIST TO BLESS DRU AND BLESS HER PARENTS AND LOVED ONES, knowing one day they will all meet her again, as the LORD fills ^{EUSTAD} ~~her~~ ^{his} ~~in~~ ^{her} HEART & will also. May GOD BLESS YOU DRU KATRINA SJODIN!

CLAIMS

1. Intentional Infliction of Emotional Harm;
2. Violation of Due Process;
3. First Amendment Retaliation ~~(XXXXX)~~;
4. Violations of Equal Protection;
5. Violations of Ch. 13 Data Practices Act/FOIA;
6. Obstruction of Justice
7. ANY/ALL other CLAIMS Eustad does not state/claim here as Eustad has no formal legal training & is not an attorney.

(Premitable) CLAIMS Court

8. Wrongful Death: Dru Katrina Sjodrin; ^{Interim withholding of info to Linda Walker, Allen Sjodrin & Public} EVENSTAD humbly and respectfully

10. FRAUD

requests - urges - this HONORABLE COURT TO APPOINT REPRESENTATION TO HIM TO BE ABLY & COMPETENTLY REPRESENTED IN THIS LAWSUIT AS EVENSTAD CONCEDES & RECOGNIZES He is ill-equipped to enter legal combat without adequate training and Evenstad has never attended college, let alone LAW SCHOOL & NEEDS an attorney (or attorneys) to adequately litigate this lawsuit. To that end, Evenstad respectfully

*OR

requests this HONORABLE COURT consider Appointing ^{*}EVENSTAD'S LEGAL TEAM IN EVENSTAD V West Saint Paul, et al. ?

LOCAL ATTORNS

Mike Padden

AND/OR

Zoroslav Heyderman,

Robert Bennett

or Dan Gustafson.

Chicago Area Based Attorneys Mark Weinberg, Adele Nicholas & local Counsel Peter J. Niklas.

NOTE: Evenstad feels reasonably competent in relating Background Facts & woefully incomplete facts portions, but re: CLAIMS & DAMAGES DEMANDS

DAMAGES DEMAND

Plaintiff THOMAS EVENSTAD requests in excess of \$1,000,000 (\$1 million Dollars) in COMPENSATORY DAMAGES for the irreparable HARM, PAIN, SUFFERING & TRAUMA these actions have cost him & in excess of \$4,000,000 (\$4 million Dollars) in PUNITIVE DAMAGES. THOMAS EVENSTAD

7/12/19